

REMARKS/ARGUMENTS

The Examiner has objected to the title of the invention as nondescriptive. By this Amendment, applicants have amended the title as suggested by the Examiner to read, "METHOD OF COATING STATOR BAR AND STATOR END FITTING".

The Examiner has objected to claims 8 and 16 in light of a typographical error. Both claims 8 and 16 have been amended in this response as suggested by the Examiner.

The Examiner has rejected claims 11 and 19 under 35 U.S.C. § 112, second paragraph, as indefinite. The Examiner regards the term "elevated" in claims 11 and 19 as relative with no standard provided in the specification for understanding the scope of that term.

By this Amendment, dependent claims 11 and 19 have been canceled.

The Examiner has rejected claims 1-21 under 35 U.S.C. 103 as unpatentable over U.S. Patent 5,605,590 to Manning et al. (Manning) in view of U.S. Patent No. 3,410,250 to Kulie et al. (Kulie). According to the Examiner, it would have been obvious to one of ordinary skill in the art to modify the process disclosed in Manning to include a spray nozzle of the type disclosed in Kulie.

With regard to claims 2-4, 12, 20 and 21, the Examiner contends that the claimed thicknesses, while not expressly disclosed in the prior art, merely relate to result-effective variables that would have been considered obvious to one of ordinary skill in the art.

With respect to claims 5, 6, 13 and 14, the Examiner again acknowledges that the claimed subject matter is not expressly disclosed in the prior art, but contends that the limitations therein would have been well within the knowledge of one of ordinary skill in the art.

With regard to claims 8 and 16, the Examiner contends that hydrophobic epoxies are well known in the art.

With respect to claims 9 and 17, the Examiner contends that cleaning and drying the metal prior to coating would have been obvious to one of ordinary skill in the art.

Finally, with respect to claims 10 and 18, the Examiner contends that epoxies that cure at room temperature are known in the art, and that one of ordinary skill in the art would have found it obvious to utilize such an epoxy in the process.

In Manning, syringe 52 is used for applying the coating material (in combination with a boroscope) so that the epoxy can be applied precisely, i.e., to overlie the brazing alloy in the strand joints. In other words, the epoxy coating is applied only to the brazed material, and there is no mention in Manning of extending the coating to adjacent interior surfaces of the fitting in order to ensure sealing of the strand-to-fitting joints. Note in this regard, the absence of brazed material between the solid fittings 32 and adjacent interior surfaces of the fitting 20 as shown in Figure 2.

The secondary reference to Kulie discloses no more than a spray nozzle assembly that is utilized to apply a coating to the interior of a container 10. Absent any suggestion in Manning to apply the epoxy coating over the interior surface of the fitting 20, there would have been no reason for one of ordinary skill in the art to utilize a spray nozzle of the type disclosed in Kulie within the process in Manning. In fact, utilizing the spray nozzle of Kulie in the Manning process would appear to be contradictory to the process disclosed in Manning, where the epoxy is applied carefully in a very controlled manner to cover only the brazed material. Thus, it is only with the use of impermissible hindsight that the Examiner has combined Manning and Kulie to allegedly arrive at the claimed invention.

To further highlight distinction between the applied prior art and the subject matter claimed in this application, applicants have amended both independent claims 1 and 12 to

expressly indicate the presence of strand-to-strand joints and strand-to-fitting joints, and to require that the epoxy be applied over not only the free ends of the solid and hollow strands, but also so as to seal the strand-to-strand joints and the strand-to-fitting joints, with the coating extending beyond the strand-to-fitting joints to cover at least a portion of the adjoining wall surfaces of the fitting.

With these amendments, both independent claims 1 and 12 clearly distinguish over the prior art as applied by the Examiner, particularly since Kulie is not at all concerned with coating of stator bar end fittings.

By this Amendment, dependent claims 7 and 15 have also been canceled.

Concerning the remaining dependent claims, and to the extent the Examiner acknowledges that various limitations disclosed therein are not disclosed or suggested in the prior art, applicants disagree with the Examiner's conclusion of obviousness for lack of factual evidence supporting that conclusion.

The Examiner has also rejected claims 1-21 on the ground of non-statutory obviousness-type double-patenting as being unpatentable over claims 5-8 and 11-13 of U.S. Patent No. 7,150,091. With respect to this new ground of rejection, applicants respectfully defer filing of a Terminal Disclaimer based on the amendments made to independent claims 1 and 12. In light of the limitations added to those claims, it is not at all apparent that the subject matter of claims 1-21 should be rejected on the ground of obviousness-type double-patenting as unpatentable over claims 5-8 and 11-13 of the '091 patent which contain no language relating to such limitations. In the event, the Examiner maintains this ground of rejection, however, and further indicates that the remaining claims are otherwise allowable, applicants will then determine whether or not the filing of a Terminal Disclaimer is appropriate.

It is respectfully submitted that the application is now in condition for allowance, and early passage to issue is respectfully requested. In the event, however, any small matters remain outstanding, the Examiner is encouraged to telephone the undersigned so that the prosecution of this application can be expeditiously concluded.

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Michael J. Keenan/

Michael J. Keenan
Reg. No. 32,106

MJK:rrr
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100